

GENERAL FACULTY COMMITTEE
ON
UNIVERSITY SAFETY FOR ALL

**OVERSIGHT AND RESPONSE FAILURE: BROKEN
TRUST**

**Lessons From the Events Surrounding the Murder of Professor Thomas
Meixner**

INTERIM REPORT
January 2023

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GLOSSARY

UNIVERSITY OF ARIZONA UNITS AND SAFETY SUPPORTS

ABOR: Arizona Board of Regents

- ABOR is the governing body of Arizona's public university system.

CAPS: Counseling & Psych Services

- CAPS offers an array of mental health programs and services, including 24/7 access to crisis support, Monday through Friday in-person and tele-health drop-ins, after hours counseling sessions, and Dean of Students Consultations regarding risk.
- For more information, visit: <https://caps.arizona.edu/services>

Committee

- The General Faculty Safety Committee, created under Faculty Chair Professor Leila Hudson, in response to Professor Thomas Meixner's murder on October 5, 2022.

Community

- The University of Arizona community, including administrators, faculty, staff, and students.

DOS: Dean of Students Office

- DOS is principally involved in supporting student success and wellbeing through internal services and programs as well as by assisting other university units. DOS has a reporting portal and a 24/7 Dean on Call for urgent and crisis situations impacting the student community. DOS also offers walk-in triage hours Monday through Friday, between 8am to 5pm.
- For more information, visit: <https://deanofstudents.arizona.edu/safety/safety-resources>

Harshbarger Building

- Located at 1133 James E. Rogers Way, Tucson, AZ 85719, HAS is housed within the Harshbarger Building and was the site of Professor Meixner's murder.

HAS: Hydrology and Atmospheric Sciences Department ("HAS")

- The HAS Department is housed within the College of Science

HR: Human Resources

- HR is responsible for professional recruitment, development, and service, focusing on University of Arizona employees. HR provides resources and guidelines for workplace climate.
- For more information, visit: <https://hr.arizona.edu/employees-affiliates/workplace-climate>

OGC: Office of the General Counsel

- OGC provides legal counsel for the university. Individuals, including faculty and staff, may request legal advice on a broad range of legal concerns, with the approval of a Dean or Department Head, including the Family Educational Rights and Privacy Act (FERPA).
- For more information: <https://ogc.arizona.edu>

OIE: Office of Institutional Equity

- OIE addresses issues of reported discrimination and harassment in violation of the University's Nondiscrimination and Anti-harassment Policy, made on behalf of UArizona community members. OIE has an online reporting portal that allows administrators to collect and review all allegations of discrimination and harassment, based on protected category status, which include: race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity, or genetic information.
- For more information, visit: <https://equity.arizona.edu/>

PCAO: Pima County Attorney's Office

- UAPD coordinated with PCAO, located in Tucson, Arizona to bring criminal charges against Murad Dervish.

SDSU: San Diego State University

- Murad Dervish's prior institution where he threatened several faculty members and at least one student.

TAMT: Threat Assessment & Management Team

- TAMT is a coordinating body that promotes UArizona community safety through "analysis and proactive response" to campus violence. Created after the shooting at the College of Nursing in 2002. TAMT is composed of representatives from Campus Operations, DOS, HR, OGC, and UAPD and is in the process of expanding to include additional units.
- For more information, visit: <https://hr.arizona.edu/tam>

UAPD: University of Arizona Police Department

- UAPD is the university police force. There are four divisions including: 1) Office of the Chief; 2) Business Affairs; 3) Field Operations; and 4) Operations Support. UAPD is responsible for responding to emergency situations on campus.
- For more information, visit: <https://uapd.arizona.edu>

University/UArizona: The University of Arizona

BACKGROUND

On October 5, 2022, Professor Thomas Meixner, the Department Head of the Hydrology and Atmospheric Sciences Department (“HAS”) in the College of Science, was murdered while performing his duties at the University of Arizona.

On October 21, 2022, Faculty Chair Professor Leila Hudson created the General Faculty Committee on University Safety for All. The Committee has been asked to review how the University of Arizona monitors and addresses physical and non-physical violence risks and to offer recommendations towards improving campus safety for all. Additionally, the committee has been asked to collect and compile diverse perspectives from various constituency groups on campus so that recommendations reflect the campus community’s concerns at large.

The Committee’s work is independent from the University’s review process of campus safety. The Committee members include faculty, staff, and students, from diverse backgrounds and a broad range of academic units, who are committed to providing long-term and sustainable recommendations that hold the institution accountable to its commitment to equity, diversity, and inclusion, as well as to addressing the unique safety needs of all campus community members.

This Interim Report summarizes key factual findings concerning a glaring institutional failure that has severely compromised safety, safety perceptions, and Community trust in the University Administration and University officials. The Committee finds that the University’s approach to violence risks established an administrative culture that consciously and consistently disregards employee and students’ safety concerns. The Committee concluded that the severity of the identified institutional failure and knowledge of current threats to safety warrant the preparation of this Interim Report. The Committee’s Final Report will be released late Spring 2023.

I. INTRODUCTION

The murder of Professor Thomas Meixner at the University of Arizona was not a random act of violence, but the deadly conclusion of numerous episodes of harassment, intimidation, and threat from a former graduate student, Murad Dervish, for almost one year. On the day of the murder, Dervish sought out four HAS faculty members, including Professor Meixner within the Harshbarger Building. Of the four targeted victims, Dervish was only able to locate Professor Meixner. One professor was in another classroom at the time, a second professor had left the building moments prior to the shooting, and the third professor was out of town on professional travel. According to one faculty member, “It was merely by happenstance that these other victims survived, and it was not a mass shooting event.” Dervish had time and opportunity to attack additional HAS faculty, staff, and students, which could have easily resulted in multiple casualties.

Until his arrest after the murder, Dervish harassed four HAS faculty members, a female undergraduate student, and a Dean of Students (DOS) administrator. During the relevant period, from November 2021 to the murder in October 2022, the impacted HAS members persistently contacted and interacted with DOS, the Office of General Counsel (OGC), and the University of Arizona Police Department (UAPD) to report about the harassment and verbal threats, as well as to relay their concern that their lives and the lives of others were in jeopardy. DOS, OGC, and UAPD efforts to determine whether Dervish violated any law or University policy did not end or deter the harassment. On the contrary, they escalated Dervish’s conduct. DOS, OGC, and UAPD knew about Dervish’s incessant harassment and that certain HAS members feared for their lives and the lives of others.

Our inquiry finds that DOS, OGC, OIE, and UAPD focused on the passive assessment and minimal enforcement of compliance with legal and university administrative standards and neglected to address continuous harassment and persistent danger to University community members. In meetings with the Committee, DOS, OGC, and UAPD members claimed that their units responded timely and adequately to the harassment claims and known violence risks. In fact, the UAPD Assistant Chief of Police insisted that, even in hindsight, UAPD acted optimally. The Office of Institutional Equity (OIE) was also initially contacted by one of Dervish’s targets. The OIE Director told the Committee that OIE only investigates alleged violations following certain legal standards and because it does not address violence risks, it was not an involved unit in this case.

The Committee categorically rejects the self-serving assertions that DOS, OGC, OIE, and UAPD members satisfied their duties within the scope of their authority and responsibilities. At the very least, these units failed to address ongoing harassment and ignored known violence risks. The University failed to install a robust risk management system to monitor, assess, address, and communicate violence risks to the necessary University community members. The Committee identifies the lack of a central risk management system for violence risks as a material institutional failure.

For these reasons, the root institutional problems must be brought to light. Issues of safety must not solely be treated or communicated as random and unpredictable events that simply require more emergency preparedness. While the University is currently evaluating and implementing security protocols, this Interim report focuses on current institutional mechanisms, including Community reporting channels, as important functions that can mitigate future incidents involving campus violence.

II. THE COMMITTEE’S EVALUATIVE PROCESS

Primary Records and Interviews

The Committee obtained email correspondences, text messages, public records, and other documents from the surviving victims, HAS community members, and other campus constituency groups with direct knowledge of Dervish’s harassment. Through meetings with the surviving HAS victims, victims from other incidents, and other Community members, the Committee gathered their direct accounts. The Committee also met with a representative from the Meixner family, who provided Tom Meixner’s email records¹, which included a folder labeled “Murad Dervish” containing several records of Dervish’s conduct and harassment stemming from October 27, 2021, to September 10, 2022. Information contained within this folder elucidates the nature of Dervish’s threats towards the HAS faculty as well as the University’s response.

The Committee also reviewed relevant University policies and website content and met with individuals from University units whose responsibilities are related to addressing violence risks. These units include CAPS, DOS, OGC, OIE, UAPD, and TAMT. Additionally, the Committee met with the Senior Vice President and Chief of Staff of the University and the Vice President for University Initiatives. In reviewing these documents and meeting with the applicable administrative unit members, the Committee assessed how the University of Arizona responds to safety and security threats from an organizational standpoint.

Listening Groups

The Committee organized and facilitated eight one-hour listening sessions with members from the following groups:

1. Asian Pacific Islander Desi-American (APIDA) community
2. Black faculty and staff community
3. LGBTQIA+ community
4. Disability community
5. College of Nursing
6. Department of Hydrology & Atmospheric Sciences (HAS), including witnesses to the murder
7. Staff Advisory Council (two sessions)

In these listening sessions, the Committee sought to learn from the perspectives of Community members. This included meeting with two academic units that were previously impacted by violence.

In addition, the Committee also sought to evaluate the perceptions Community members hold towards university safety support units, to inform recommendations that cultivate a safer campus.

¹ The Meixner family had downloaded the “Murad Dervish” folder days before they lost access to Professor Tom Meixner’s email account.

Additional Campus Meetings

Committee members also attended three additional meetings: the All Faculty listening session, a presentation on safety and security to Departmental Heads, and a meeting between the University's senior leadership and Hillel. During these meetings, the Committee learned about broader safety concerns, campus resources, and these groups' recommendations.

Other Safety Concerns

Finally, the Committee followed up on reports it received about violence risks and safety concerns that are not related to Murad Dervish. To this end, the Committee met with individuals with direct knowledge of those risks and concerns. Among those we obtained permission to share:

1. A series of reports from female law students and faculty regarding lengthy episodes of harassment and hostility and an alleged rape. As shared with the Committee, during Fall 2019, a group of law students met with President Robbins to discuss their concerns regarding the University's handling of sexual misconduct and violent toxic masculinity impacting law students. A law faculty who was harassed by one of the offenders reported about material safety concerns that she still experiences.
2. A Daily Wildcat editor and a journalist reported about ongoing harassment and threats of violence against the journalist, following an article published in the Daily Wildcat. The victim, along with the Daily Wildcat editor-in-chief and team met with the Dean of Students to pursue disciplinary action against the perpetrating student and others involved. They also provided recommendations for the university to draft a statement condemning intimidation, harassment, and threats on social media.
3. Public accounts and email correspondence regarding a Black disabled undergraduate, who encountered UAPD's excessive response, when a University administrator called the police upon the student. Police records indicate the call was made by the University administrator, while President Robbins publicly denied the alleged person made the call. There have been numerous statements from COBA, the undergraduate student staff of Common Ground Alliance, African American Student Affairs, the Coalition of ODI staff, as well as an open letter with over 700 signatures calling for accountability and action, which specifically called for the administrator's removal as the Interim Associate Vice Provost of Diversity and Inclusion. As these events relate to the Committee's investigatory scope, there are concerns about over-policing in response to perceptions of threats to safety and how Black individuals might be unfair targets of police enforcement, as reflected in the current national landscape.

III. KNOWN VIOLENCE RISKS, SAFETY CONCERNS, AND FEARS

To illustrate the circumstances of known violence risks, we summarize the events leading to the murder of Professor Meixner along with three additional instances of known violence risks. The Committee observes that University officials knew about the prevalence of such violence risks but did not take the necessary action to protect the victims.

The first three situations demonstrate a failed institutional approach to competently address violence risks. The University's treatment of violence risks typically consists of a sequence of passive responses from university officials that focus on compliance with and enforcement of legal and administrative standards, whereby harassment and the violence risks were continuously disregarded. The fourth situation showed how an excessive University response led to an individual feeling less safe. These responses did not constitute effective monitoring, evaluation, and reduction of violence risks.

Harassment and Violence Risks at HAS (Case #1)

As early as November 2021, HAS leadership and faculty began reporting to DOS, OGC, and UAPD about safety concerns related to Murad Dervish. A HAS student, who was also being harassed by Dervish, reported him to OIE, DOS, and UAPD. For nearly a year, targeted HAS members made repeated attempts to seek protection against Murad Dervish from various University units, as well as non-university entities, including the Pima County Attorney's Office.

In the 11 months that Dervish harassed UArizona Community members, UAPD documented at least half a dozen reports and filed two criminal reports with the Pima County Attorney's Office. The first criminal report was filed in May 2022 and included two misdemeanor threat charges against Dervish from a DOS administrator. HAS victims were neither included in the May report nor informed of UAPD's filing, despite their complaints about Dervish since November 2021. The second criminal report was filed in September 2022 and included nine counts of misdemeanor threat against one HAS faculty member and 11 counts of misdemeanor threat against another HAS faculty member.

Timeline of Key Incidents and Institutional Responses

We summarize the key incidents and developments related to the events leading to the murder of Professor Meixner.

Summer 2021 | Prior Records of Threatening Behavior. As a student at San Diego State University (SDSU), Murad Dervish demonstrated a propensity to violence, which included sending threatening emails featuring racial slurs and antisemitic remarks to SDSU faculty. He also harassed at least one female SDSU student. Nearly identical threatening comments made to SDSU personnel were later directed towards University of Arizona HAS faculty and a female student, during the period leading up to Dr. Meixner's murder in October 2022. SDSU police were actively investigating Dervish through late September 2022 and uploaded his threatening emails to evidence.com² and COPLINK.³

UAPD learned about Dervish's history at SDSU by January 2022, but UAPD did not share this information with HAS members. It is unclear whether UAPD shared this information with DOS and OGC.

² Evidence.com is a police-owned web-based system that provides access to multimedia evidence

³ COPLINK is a search engine and information platform that enables law enforcement to search data from agencies across the U.S. using natural language speech terms and concepts

November 2021 | Early Remarks Against HAS. In October 2021, Dervish expressed dissatisfaction regarding a midterm examination grade he received. After negotiating his grade with the HAS professor who issued the examination, Dervish sought support from HAS Department Head Meixner to intervene and change his letter grade. Dr. Meixner explained that he could not interfere, and recommended Dervish discuss his concerns with the course professor.

Following the grade discussion, an argument ensued between Dervish and Dr. Meixner on the first floor of the Harshbarger Building on November 3, 2021. According to one account, the argument “*was heard throughout the first floor of the building,*” and Dervish, “*subsequently entered the 110 classroom and shouted obscenities at another Professor (also one of the victims of harassment) during a class session in the presence of other students.*” One of the four professors victimized by Dervish stated to UAPD that he felt unsafe in the building after Dervish’s outburst and explained that he would keep his office locked from then on. The confrontation resulted in two HAS faculty members filing a Code of Conduct referral against Dervish to the Dean of Students, who issued Dervish a warning. Following the incident, HAS leadership decided not to renew Dervish’s graduate assistantship and tuition benefits for the Spring 2022 term.

Winter 2021 | Code of Conduct Violation. Angered by the consequences of his actions, which resulted in the non-renewal of his Graduate Assistantship and a Code of Conduct violation, Dervish sent aggressive emails to HAS faculty starting November 2021. The tone of his messages was intimidating and threatening and included racist and antisemitic remarks. For example:

You don’t understand how Jews and Asians think and how they treat people. I’m gonna lawyer, if that doesn’t work I’m taking matters into my own hands.

People (like) [HAS Professor]⁴ shouldn’t even be allowed in this country, my country and I told him that. He’s rude, disrespectful, unfair, racist stealing as much as he can from MY country...And kikes should not be allowed to exist anywhere, ever. The most disgusting people in all of existence’.

Somebody not very long ago invested a lot of resources to nearly eradicate them from the world.

During this same time period, Dervish rejected the HAS Associate Head’s recommendation to participate in a third-party mediation with a Graduate College representative. During these interactions, the HAS Associate Department Head warned Dervish that he was violating the Student Code of Conduct and advised Dervish to stop.

Mid-January 2022 | Evidence of Past Offenses. Following complaints from HAS leadership, a UAPD report indicates it checked for any Orders of Protection or Injunctions against Dervish, which returned a Protection Order against him by a former student from San Diego. However, it is unknown whether at any point UAPD ran a full criminal background check on Dervish. According to Dervish’s father, as cited in several newspaper reports, Murad had a previous criminal record for attempting to kill his mother and had spent multiple days in prison.

⁴ The HAS Members’ names have been redacted

UArizona's Human Resource Policy, HR-406, effective June 2006, which is cross-referenced to the Student Employment Manual §119.00, states that when the university learns of a prior criminal record, a thorough analysis will be conducted to confirm the suitability of the individual's placement within that role at the institution. Additionally,

Departmental management will consult with the Division of Human Resources Consulting Services to assess the criminal offense, its impact on the employee's job, and the need for administering any employment action. In advising the department Human Resources will consult with the Provost and General Counsel.

It is unknown to the committee whether UAPD followed institutional policy HR-406 after becoming aware of Dervish's prior criminal record and pending harassment charges.

Concerned about Dervish's conduct and potential response to his interim suspension, HAS faculty expressed worry that Dervish would physically retaliate against department personnel. UAPD acknowledged the concern but did not follow-up. UAPD Case Summary Report #2111030006, dated January 14, 2022, notes:

[HAS Faculty Member] is in fear for his and the above individuals' physical safety...[HAS Faculty Member] is concerned because Dervish knows where he lives...A check for any Orders of Protection or Injunctions against Dervish returned a Protection Order against him by a former student from San Diego, CA. I advised [the victim] on basic safety precautions and, how to obtain an Injunction Against Harassment. I advised the SIU⁵ Detective Unit of this new development by email for follow-up.

According to the HAS Faculty Member, there was no direct follow-up from either unit.

Late January 2022 | Dervish is Placed on Interim Suspension. The Dean of Students placed Dervish on Interim Suspension on January 18, 2022. The terms of his interim suspension barred Dervish from engaging in university activities, including attending classes and accessing campus property, as well as contacting HAS Faculty members.

In Case Summary Report #2111030006, UAPD supplemental notes state that on January 26, 2022:

TAMT held a meeting to more formally decide whether Dervish was a concern to the campus community. They determined there was not an immediate threat and the situation would continue to be monitored as the Dean of Students office worked towards a resolution.

UAPD is represented in TAMT and contributed to this decision.

One preventative safety measure pursued by HAS leadership was to move courses online. On January 28, 2022, with regard to moving courses temporarily online, OGC recommended that security reasons should

⁵ SIU is the "Special Investigative Unit" within UAPD

not be cited as the justification and that this transition should be pursued on a voluntary basis. An OGC lawyer wrote to the HAS Associate Department Head:

[REDACTED]

On January 31, 2022, the HAS Associate Department Head emailed OGC inquiring about protective orders:

[REDACTED]

The OGC attorney responded,

[REDACTED]

OGC did not follow up on this position that they would seek an order of protection for the department.

February 2, 2022 | Dervish is Expelled. Dean of Students formally expelled Dervish, citing Arizona Board of Regents Student Code of Conduct and failure to comply with no contact directives. Specific violations included:

- Code of Conduct 7: Failure to Comply with university official directions pertaining to the investigation
- Code of Conduct 11: Interference/Disruption by attending Zoom classes
- Code of Conduct 20: Stalking/Unwanted Contact by continuing to harass and use profane and abusive language against HAS faculty members.

The expulsion letter concludes, “the findings and the serious and dangerous nature of the allegations support the sanction of Expulsion from the University of Arizona.” Dervish was ordered not to have contact with

any University officials other than the Dean of Students and Human Resources. As an expelled student undergoing appeal, Dervish was not permitted to be on University premises.

February 7, 2022 | HAS Department Head Notifies HAS Community about Dervish. The HAS Department Head distributed Dervish's photo to the HAS core faculty, asking them to share it with students, and in classes, along with the following message:

Murad Dervish has been expelled from the University following an investigation of the Dean of Students. Both the Office of General Counsel and UAPD are aware of this action and are taking appropriate actions as needed. Given Mr. Dervish's expulsion he is not permitted on campus and if you see him on campus, please contact UAPD - 911 or 520-621-8273 based on your judgment. Please also report any interactions with Mr. Dervish to the Dean of Students 520-621-7057.

He further added:

While this process has taken longer than I might like, please know that the University has now taken appropriate action by expelling Mr. Dervish. Also know that we have taken the actions of moving classes out of JWH 110 and changing door combination codes through an abundance of caution. We will revisit the shift of classes in JWH 110 as time passes and more information becomes available.

March 4, 2022 | Dervish Spotted on Campus. According to the police record for Case Report #2111030006, Dervish was spotted on campus across the street from Centennial Hall (located at 1020 E. University Blvd., Tucson, AZ 85721) at approximately 6:50pm. The HAS student who recognized Dervish conferred with his friend who helped confirm his suspicions. The HAS student called UAPD and filed a report. A note in the police report states: “*there is no active Exclusionary Order on file for Dervish, or injunctions against harassment.*” It is unknown to the Committee why Dervish was not eventually arrested and charged for violating the terms of his expulsion.

March 6, 2022 | Dervish Attempts to Purchase a Firearm. Murad Dervish attempted to purchase a firearm⁶ from ARMSLIST.com but the gun seller refused due to Murad's volatile communication. Following the attempted transaction, the dealer reported Dervish and submitted the threatening message thread to the Tucson Police Department (TPD) in which he claimed Dervish wrote, “*a couple of bucks doesn't matter as I'm going to kill several people and myself.*” TPD's report indicates that it attempted to contact ARMSLIST and Dervish, both with no success. TPD also advised the seller to upload the text screen shots to AXON Citizen Link.⁷ It is unknown to the committee if and when UAPD had access to this information.

March 8, 2022 | No Contact Order (NCO) was Issued. DOS issued a No Contact Order between Dervish and four HAS faculty members. DOS also prepared to hear Dervish's expulsion appeal petition. All the while, Dervish continued to send threatening emails to faculty members, which violated institutional orders. For example, on March 11, 2022, Dervish violated the NCO, and contacted a HAS faculty member, who

⁶ The firearm that Murad Dervish attempted to purchase was an EAA FAB92 9mm pistol

⁷ Public, open-access submission portal for community members to report criminal activity

informed him he was violating the order. Dervish apologized and stated that he will not contact the faculty member again. No disciplinary action was taken against Dervish for violating the NCO. For months, he sent additional threatening messages to HAS faculty protected under the NCO without consequence.

March 14, 2022 | Dervish Spotted on Campus. A UArizona student reported seeing Dervish near the Science and Engineering Library (located at 744 N. Highland Ave., Tucson AZ 86719) at approximately 6:40pm. The student reported the incident to UAPD and noted that she recognized Dervish from the photos that were distributed to the HAS listserv. UAPD patrolled the area but were unable to locate Dervish. Again, it is unclear why disciplinary action was not pursued in response to the alleged violation.

March 20, 2022 | Dervish Approached a HAS Faculty Member. Dervish approached the HAS Associate Department Head, who was in the company of his wife and children at CVS, and requested to speak with him. The Associate Department Head declined and left. Concerned about the encounter, on the following day, he emailed OGC, TAMT, and UAPD stating that he would pursue legal counsel outside of the University of Arizona, as he did not feel adequately supported. An OGC attorney replied with [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

March 23, 2023 | HAS Student Seeking Protection. Since October 2021, Dervish persistently harassed a female HAS undergraduate student. He contacted her at least 30 times, which she described as sexual harassment and stalking. She reported to OIE and DOS, yet the harassment continued. After two Zoom meetings and submitting five police reports, the student met with UAPD. She explained to the Committee:

I was literally begging him, ‘can you give a blanket no contact order for the department’ and he said it wasn’t in his power. Then I said, ‘so you are not going to do anything until anyone gets killed, are you?’ And he just looked at me and said nothing and did nothing.

April 8, 2022 | Dervish Threatened a DOS Administrator. The expulsion appeal was scheduled for April 1, 2022, but was postponed to April 29, 2022, due to a staff scheduling conflict. Leading up to his expulsion appeal, Dervish shared his general grievances with the DOS Administrator. Additionally, he demanded the names of committee members who would rule on his expulsion status, and claimed that he needed that information to confirm that Professor Meixner was not on the committee, which he asserted constituted a conflict of interest. Dervish also demanded a copy of the midterm examination key that initiated the November dispute. The Chair of the Hearing Committee responded to Dervish’s request and explained that he could not address issues outside of the expulsion proceedings, including grade disputes or Graduate Assistantship positions. Enraged by the email, Dervish threatened the DOS Administrator.

April 14, 2022 | The Dean of Students Administrator Filed a Police Report. UAPD responded to the DOS Administrator’s call, regarding two threatening emails received from Dervish. Related to his April 8th request denial, Dervish stated, “If you don’t I promise the consequences are going to be absolutely catastrophic” and “I don’t think you have any clue who you are dealing with but you are about to find out

and I really don't think you're (sic) going to like it." Both emails contained profanity. In the report the UAPD Sergeant disclosed the following in the Case Summary Report #220414003:

I spoke with [the Dean of Students Administrator] by phone. She supervises Dervish's appeal process and has had many contentious meetings and contacts (by email) with him. She verified the date/time of both emails and expressed concern about the two statements...Based on knowledge of Dervish being argumentative and confrontational with her and department faculty and his demeanor becoming more aggressive she took his statements as a personal threat and believes he's capable of carrying out any threat....for the next 2 days she will be working from home because she 'just doesn't know what this guy will do.' She's been in her current profession for over 25 years and has an admittedly high threshold for inappropriate behavior but, in one personal meeting, Dervish even called her a racial slur (N-word, according to [the Dean of Students Administrator]) to her face. She has training in Threat Assessment and believe the threats should be taken seriously. She said she will press charges against Dervish for his threats.

UAPD charged Dervish with two misdemeanor threat charges. The subsequent criminal report sent to Pima County was separate from other claims of threat, intimidation, and harassment made on behalf of HAS faculty and students.

April 15, 2022 | UAPD Visits Dervish's Residence. At 3:30pm, two UAPD officers attempted to contact Dervish at his home. While Dervish answered the door, he refused entry for the officers and declined their request to sign the citation indicating that he had been served against the two misdemeanor threat charges. Dervish was informed that a warrant would be issued for failing to sign the papers. As the officers left Dervish's home, a neighbor approached and informed the officers that in the past, Dervish had been verbally belligerent and screamed obscenities towards her and her roommate. On one such occasion, TPD was called to respond. When the neighbor asked UAPD what she should do in the future, the officers responded that she should contact the property manager and call the police.

May 4, 2022 | Dervish Case Closed. Pima County Attorney's Office determined that they would not proceed with criminal charges on behalf of Case Report #220414003, which corresponded to the two misdemeanor charges against the DOS Administrator perpetrated by Murad Dervish. UAPD proceeded with closing the case. By summer 2022, UAPD had not submitted a criminal report against Dervish to the Pima County Attorney's Office on behalf of the HAS faculty victims or the female student victim facing ongoing harassment.

May – August 2022 | Dervish Continued to Threaten HAS Faculty. HAS faculty continued to receive threatening emails, texts, and phone calls from Murad Dervish. On May 28, 2022, Dr. Meixner received an email from Dervish stating: "you are the most disgusting piece of shit I ever met, I hope somebody blows your fuckin (sic) head off" These correspondences were forwarded to UAPD, OGC, and DOS, however, there was limited action (i.e., providing advice) taken on behalf of these administrative units to effectively respond and apprehend Dervish for violating orders. The NCO was still active during this time.

August 8, 2022 | Pima County Order of Protection. The HAS Associate Department Head sought and was granted an Order of Protection against harassment from Murad Dervish by the Pima County Justice

Court. The HAS Associate Department Head offered other HAS faculty assistance towards these same ends. The Order was not served despite multiple attempts to contact Dervish at his residence.

September 6, 2022 | Associate Head Issued Warning to UArizona Safety Officials. On the basis of continued harassment and evidence of physically threatening behavior, the HAS Associate Head emailed UArizona Safety Officials including OGC, DOS, and UAPD, warning that Dervish remained a threat. The email stated:

As I have said not (sic) to you all in documented e-mail communications to OGC, UAPD, and DOS now several times, I am of the strong opinion that all relevant law enforcement investigatory authority should be brought to bear in this case. That would include even if Mr. Dervish has moved out of state. That is simply beyond my power to do, as an individual and private citizen. I will note I have done everything I possibly can in my capacity to protect myself and my family and seek legal recourse as an individual – but to no avail.

Mr. Dervish continues (sic) has continued to harass employees of the University of Arizona. I am also aware that the University of Arizona has been provided evidence that this harassment may rise to level that may be interpreted as physically threatening to members of my department...I am of the belief that this danger is ongoing and at least extends to all the affected parties in this case in my department, even if not explicitly so stated (yet) in Mr. Dervish's email communications, and possibly the rest of our faculty, students, and staff. I regret that I am compelled to state my assessment to the relevant university authorities that I am obliged to report to in this matter, for the record in an email communication.

UAPD informed the HAS Associate Head that they intended to press criminal charges against Dervish.

September 9, 2022 | UAPD Submitted a Criminal Report. The UAPD Sergeant filed a criminal report to the Pima County Attorney's Office under Case Report #220900017. The report cited nine counts of threat against one HAS Professor and 11 counts of threat against the HAS Associate Department Head. There was no mention of the earlier criminal report against Dervish filed in May 2022. The report identifies “ongoing issues with Murad Dervish, a former University of Arizona graduate student and the Hydrology and Atmospheric Sciences department” since Fall 2021. It goes on to state, “these issues were not originally addressed criminally because there was an ongoing administrative appeal process that was taking place and staff members wanted that process to resolve prior to taking legal action.”

The report further states:

Due to the threatening comments that Dervish has made over the last several months, staff within the department are on edge and there is an underlying level of concern that he may try and show up on campus and cause harm to those he feels are responsible for his dismissal. While the concerns from the staff are real and warranted, there is no indication at this time that Dervish intends to return to campus.

According to the Meixner family, the Pima County Attorney's Office (PCAO) did not review Case Report #220900017 until after the October 5th murder, stating that this report came in a "batch packet" with many other on-campus misdemeanors (e.g., underage drinking). UAPD did not have an issuing appointment with PCAO, nor did they verbally communicate the urgency of this charge as a case necessitating immediate action.

October 5, 2022 | Professor Tom Meixner Murdered. Dervish appeared on University property as early as 9am. He entered the Harshbarger building unimpeded at least 30 minutes prior to the shooting. He went to the former office of one of the surviving HAS victims and asked for the faculty member who had left the building just moments prior. Another HAS community member recognized Dervish from the photos previously circulated within the department the previous Spring and called the police. Dervish proceeded to locate Professor Meixner and shot him multiple times in front of several witnesses and then fled the building. Professor Meixner's dying words were, "I knew you were going to do this!" About three hours later, Dervish was apprehended by the police at the Ajo District Boundary. Among the contents of his vehicle were two handguns and additional ammunition.

Meanwhile, the University Community received UA Alerts, which were later criticized for not reaching all members and lacking accurate details, leaving many in a prolonged and heightened state of confusion and fear. One of the groups most impacted by the lack of a coordinated, comprehensive risk response at the University was the Disability community. Members of the Disability community expressed to the Committee that the university environment and services for safety were particularly inaccessible. On the day of Professor Meixner's murder, neither sign language interpretation nor closed-captioned messaging were provided when communicating safety announcements, leaving members of the deaf community without access to the information necessary to keep themselves safe. Similarly, community members who are visually impaired and have mobility issues reported there were no formal safety measures in place to help support their safety, especially in circumstances necessitating evacuation. One community member with limited mobility reported being left on the second floor of the building when the elevators were shut down and without anyone in the building who knew how to help them evacuate. Without sign language interpretation, visual alarms, or posted emergency plans (including in Braille), safety was not accessible to members of the deaf and visually impaired community on the day of the murder.

During the UAPD Press Conference⁸ in the early evening, the UAPD Chief of Police stated, "Everything did work like clockwork though. It's just one of those things you can't even predict." She admitted that she did not know if the suspect had a criminal background...She went on to say:

Moving forward, if you see something, say something. Hopefully our quick response would have deterred any other violence. If you see something, not just say something, but do something. If you know somebody is struggling with mental health issues or anger issues, that you reach out. And it doesn't always have to be calling the police department, but tell somebody what's going on and share that information because I'm sure we're all tired of hearing of these situations occurring.

⁸ Deaf community members strongly criticized the lack of an American Sign Language interpreter, which led to them feeling even more confused and vulnerable.

For over a year, community members routinely engaged in precisely the manner advised by the UA Chief of Police. When answering a question from a reporter about any past history of threat, she wrongly said, “*To my knowledge, there’s no existing exclusionary order on this person*” (referring to Murad Dervish).

In summary, Professor Meixner was murdered after a year of continuous threats and harassment levied against members of the HAS department. It took UAPD nearly ten months to file a report with the Pima County Attorney’s Office, while HAS victims remained unaware of the contents of said report. Additionally, UAPD imprudently speculated that Dervish would not return to campus, despite several accounts of Murad violating legal orders as reported to the UAPD by HAS victims and community members. Meanwhile, the targeted HAS department faculty felt their lives and the lives of their colleagues were in danger and they tried to mitigate material safety concerns. To this end, they communicated with DOS, OGC, and UAPD about their perceived safety risks, and sought to manage those risks internally.

DOS, OGC, and UAPD knew that (1) Dervish persistently harassed certain HAS members in the year preceding the murder; (2) certain HAS members had material safety concerns, and (3) HAS adopted measures to mitigate violence risks.

As it pertains to UA Arizona actions and activities to mitigate Dervish’s safety threats:

- *Alleged* legal restrictions prevented informed HAS members from disclosing information about the violence risks and complicated departmental efforts to fully adopt risk mitigation measures.
- In conversations with the Committee, DOS, OGC, and UAPD members emphasized that legal restrictions on the handling of information concerning violence risks posed challenges in the management of those incidents.
- DOS took over six months to reach a final expulsion decision from when Dervish threatened HAS faculty in November 2021 to his expulsion appeal hearing in April 2022.
- Dervish was able to access a firearm with no intervention from law enforcement.
- Institutional policy and protocols, such as placing Dervish on the Exclusionary Order List, and charging him for violating No Contact Order provisions, were not followed.
- These actions - in some cases, inactions - directly contributed to Dervish’s unfettered access to his targeted victim, Dr. Tom Meixner.

Harassment and Sexual Misconduct at the College of Law (Case #2)

The Committee learned that in the 2019-20 academic year, one female law student was the victim of harassment, while a second female law student was allegedly a rape victim. Both incidents were perpetrated by fellow male law students with whom the two victims had a previous romantic relationship. One of the female victims pursued legal action after the male student stalked and harassed her and her friends. Violent actions included distributing lewd photos of her that were taken without her knowledge or consent. The victim informed DOS, OIE, and UAPD. However, the stalled review period allowed her aggressor to continue to enroll and attend classes through the Law School, providing the opportunity for him to continue his harassment. Related to this incident, a female law faculty member informed the Committee that her

efforts to help the victim subsequently resulted in her harassment, which she still copes with alongside a continued fear of violence.

During Fall 2019, a group of law students met with President Robbins to demand action. As reported to the Committee, the students informed President Robbins about a culture of toxic masculinity that impacted law students. As reported to the Committee by former law students and the faculty member who was targeted for her involvement, University officials failed to address ongoing harassment and violence risks arguably to comply with federal and state laws that prevented the institution from acting. The relevant former law students, as well as law faculty who tried to help in those matters, were highly critical of the University's ineffective bureaucratic approach to harassment and violence risks.

Specifically, they described considerable bureaucratic barriers to access to DOS and OIE and persistent disregard for ongoing harassment and violence risks.

Among other things, former law students who were not the principal victims and the impacted law faculty pointed out that their efforts to help victims resulted in harassment and violence risks that the University blatantly ignored. They also noted that OGC's and OIE's interpretations of privacy laws resulted in a situation whereby most law students knew about the events, while the law faculty remained uninformed.

Harassment Against a Wildcat Reporter (Case #3)

A female student reporter published an article in the *Daily Wildcat* on a fellow undergraduate student with a large social media platform. Angered by the report, the student shared the journalist's private contact information to his large following on TikTok. Also known as doxing, it is illegal under A.R.S. 13-2916 to maliciously publish private information without consent. Following the doxing, the reporter faced constant harassment. The student disclosed to the committee that she feared for her safety given the nature of the threats she encountered, which included rape and physical assault. Additionally, she reported feeling humiliated given the vulgar comments made to her by fellow UArizona students, leading her to seek support from DOS. The institutional response was minimal, delayed, and disorganized, leaving her to feel abandoned and unheard. Specifically, the student explained DOS administrators lacked preparation during meetings, making the student feel like her safety concerns were not an institutional priority.

According to the student's testimonial, which she provided for this report.

My experience with the Dean of Students office as well as University of Arizona's administration was both disappointing and misleading. At one time, I fully trusted the institution to not only be able to protect me but to want to as well. I am saddened and disheartened as I know that every action of UA's administration has proven entirely otherwise. I will not be discouraged by the lack of response or action from the school but rather I will work towards a campus environment where hopefully no student has to feel as let down or unsafe as I have had to feel at University of Arizona.

Police Call on a Queer Black Disabled Student (Case #4)

A queer black student who uses a wheelchair entered the MLK building (located at 1322 E 1 St Tucson, AZ 85721) and went to the third floor to use the accessibility bathroom. Upon exiting the facility, the student exchanged pleasantries with the Interim Associate Vice Provost of Diversity and Inclusion. The conversation proceeded to include topics such as personal and financial matters, which the student reported felt uncomfortable discussing in the close proximity to other offices and administrators. The student expressed her discomfort and attempted to leave the situation. The Interim Associate Vice Provost of Diversity and Inclusion stood in a position that prevented the student from leaving. The administrator's physical presence over the student, who did not possess the physical mobility necessary to exit the situation, was perceived by the student as both ableist and threatening.

Following the encounter, the student reported the incident to OIE. OIE informed the student that they would not investigate the encounter and recommended the student to contact Human Resources (HR). HR in turn referred the student back to OIE. Meanwhile, the Interim Associate Vice Provost of Diversity and Inclusion proceeded to submit a report to UAPD and claimed that the student was aggressive and weaponized her wheelchair.

Following this encounter, the student sought to meet with the Interim Associate Vice Provost of Diversity and Inclusion on behalf of the UArizona Black Student Union, for which the student is President. This meeting was requested to discuss UArizona Black Student Union matters. The Interim Associate Vice Provost of Diversity and Inclusion denied the meeting. After a brief albeit contentious encounter, the administrator, according to the police report, called UAPD and the student left the building. When three UAPD officers arrived at the MLK building, they blocked all wheelchair access points.

The African American Student Association (AASA) Director, who sought to deescalate the situation between the administrator and student preceding and during the encounter, did not disclose the student's name to UAPD. According to the Coalition of Black Students and Allies (COBA) timeline of events, in retaliation for helping the student, the AASA Director received notification there would no longer be funding for her AASA Director position in 2023. The Interim Associate Vice Provost of Diversity and Inclusion remained (and continues to remain) in her role.

In a campus communication from President Robbins, he wrote:

The University of Arizona Police Department responded to an incident involving a student and a staff member in the MLK Building. Importantly, it has been falsely shared that...[the] Interim Associate Vice Provost for Diversity and Inclusion, made the initial call to UAPD. She did not seek to press charges on the student involved in the incident. And no arrests were made.

The UAPD report notes that the Interim Associate Vice Provost of Diversity and Inclusion did in fact call UAPD.

President Robbins' action projected efforts to protect an administrator over a commitment to integrity and safety.

IV. FAILURE TO ADDRESS A KNOWN CHRONIC TRUST PROBLEM

The Trust Problem

Protecting community safety and handling violence risks require a reasonable degree of trust in the University's leadership and the relevant University offices, including DOS, OGC, OIE, and UAPD. In the absence of trust, individuals coping with violence and violence risks are less likely to report about violence risks and any perceived mishandling of violence risks. Further, doubts about institutional integrity and competency create and exacerbate safety concerns, frustrations, and anxieties.

The Committee observes that the University of Arizona suffers from a chronic trust problem, including (1) doubts regarding the competency and integrity of University administrators, (2) skepticism about the University's capacity and willingness to address safety, especially the safety of at-risk communities, and (3) pervasive fears of retaliation and consequences. Virtually every Community group that interacted with the Committee referred to the trust problem. Participants in the listening sessions described reluctance to report threats or safety concerns to the University, and particularly to UAPD. The Black and Disabled Community members especially expressed experiences of over-policing and inappropriate responses from UAPD as well as feeling that they are unjustly profiled as threats to campus safety.

As this report explains, the failure to develop an institutional framework dedicated to violence risks, paired with the ongoing and excessive bureaucratization of responsibilities related to violence risks, have severely compromised trust. University officials project disregard for actual experiences and meaningful concerns of Community members. Additionally, one consequence of the trust problem is that announcements from the University leadership concerning commitments to safety are perceived as empty bureaucratic statements. The Committee observes that, being inadequately informed, the University leadership is not positioned to prepare informed statements about safety, safety perceptions, and violence risks.

In meetings with the Committee, DOS, OGC, OIE, and UAPD members, the Senior Vice President and Chief of Staff of the University, and the Vice President for University Initiatives observed that lack of trust in integrity and competency of University officials is a pervasive phenomenon. DOS, OGC, OIE, and UAPD members stated that the trust problem impacts their ability to perform their jobs and often results in challenging interactions with Community members. University officials also expressed frustration with the chronic suspicions and doubts about competency and integrity. The resulting frustrations and disappointments compromise trust and corrode the institutional culture.

The Committee identifies the trust problem as a critical institutional vulnerability whose mitigation must be an institutional priority. The trust problem compromises the University's daily function and performance, including the institutional capacity to address violence risks. As described by participants in the listening sessions, the University's statements about commitments to safety, diversity, and inclusion have not been accompanied by effective efforts to improve trust. On the contrary, there are indications that the trust problem has grown in recent years.

The Committee emphasizes that the trust problem is well-known and finds that the University leadership has failed to address it. The University's responses to the murder of Professor Meixner deepened the trust problem.

The trust problem has another dimension that is outside the scope of this Interim Report but warrants attention. As experienced by the Community, the oversight failure is compounded. Oversight of the University's leadership is one of the key tasks of Arizona Board of Regents (ABOR). ABOR should have been aware of the trust problem and should have instructed the University leadership to address it. Instead, in October 2021, Regent Fred DuVal published an op-ed in *Arizona Daily Star*, titled "*Why I think UA President Robbins Is the Man for the Job.*" More recently, now ABOR Chair-Elect Fred DuVal penned another op-ed praising President Robbins: *The UA Is Going Strong* (*Arizona Daily Star*, January 8, 2023). DuVal's recent op-ed refers by passing to the murder of Professor Meixner:

While celebrating the good news, a full accounting must also include a horrific shooting that rocked the campus and pierced its openness and sense of security. The pain lingers and a forthcoming report will guide us in steps to take going forward.

This Interim Report offers guidance: The neglect of methodological and thoughtful oversight has anticipated consequences, which include erosion of trust. The tone at the top is not right.

The University's Response to the Murder

Soon after the murder, President Robbins made several announcements to address campus safety. Immediate action taken on behalf of University leadership included, (1) hiring Mr. Steve Patterson, a former FBI agent, to provide safety recommendations, (2) requesting the UArizona community to respond to a campus safety feedback survey⁹ to collect recommendations on improving safety, (3) retaining the PAX Group consulting firm, led by a former FBI Special Agent and security expert, to conduct an independent investigation of campus safety and security and provide recommendations. PAX's initial report, which was due 75 days from October 11, has not yet materialized. However, the PAX investigatory process is underway, and the firm has begun meeting with those with knowledge about the Meixner murder and other affected groups. The Committee observes that, thus far, President Robbins' announcements concerning the implementation of safety and security measures have focused on tactical response measures and said little about what the University does to monitor and assess violence risks, including recognizing and correcting any past missteps leading to the murder.

Through public communications, President Robbins also informed the University Community about "the steps that the University took to address the threatening behavior from the former student" prior to the murder. The Committee observes that this statement and similar statements imply that legal and administrative processes concerning alleged violations of laws and policies directly address violence risks. As this Report explains, this attitude embodies a limited institutional approach to violence risks. Minimal

⁹ The survey results are being analyzed by the Vice President for University Initiatives and their team. Based on the preliminary survey results, the main foci are on immediate and unanticipated threats, training, and employee and student support. It remains unknown the extent to which community recommendations will be addressed and implemented, but the Vice President for University Initiatives has sought the Committee to inform and provide feedback on the campus safety survey.

compliance and passive enforcement actions cannot replace the implementation of protective measures when those are needed. The University supported the efforts of HAS leadership to protect the Harshbarger building with additional security during a one-day departmental event. At the same time, OGC advised HAS leadership that sharing information about the risks that Dervish posed might violate privacy laws. Messaging from President Robbins failed to address these discrepancies.

President Robbins has not assured the Community that investigated units are not involved in advising on relevant matters. For example, the awareness of OGC attorneys of violence risks affecting HAS members begs the question of whether the attorneys handled violence risks adequately. For this reason, OGC's handling of information about violence risks should be investigated. Accordingly, OGC should not advise the University on related legal issues regarding the murder investigation, as OGC involvement presents an inherent conflict of interest. Since President Robbins has not stated how the University addresses this potential conflict of interest, it appears that the potential conflict has been ignored.

Finally, in addition to Leadership's message regarding immediate action items and reassurance that the institution acted responsibly, President Robbins also referred the campus community to available resources, including CAPS, for support. However, these early announcements were made without consultation with CAPS leadership and additional financial, logistical, and personnel support for the department was not provided. Contrary to the announcements, CAPS did not have the capacity for the sudden surge in demand for trauma-related counseling. Meanwhile, an undisclosed amount was outsourced to hire PAX. This anecdote illustrates the gap between public statements and institutional commitments. Words about safety, empathy, and support that are unaccompanied by actions that effectively address the needs of the campus community undermine trust.

As it pertains to the University's response, two major concerns from Meixner's murder remain unresolved:

1. Sustaining the HAS Department

HAS members expressed their overall dissatisfaction with the University's responses to the murder and the ongoing departmental trauma. During the Faculty Senate December Meeting, the HAS Interim Department Head, on behalf of the HAS department said,

That loss [of Dr. Tom Meixner], together with a pre-existing lack of support for rehiring in key areas, has left significant gaps that pose an existential threat to the Department. In addition, the circumstances surrounding his murder have left many in the HAS community feeling unsafe in the Harshbarger Building.

The University leadership is aware of a detailed proposal by HAS leadership to ensure continuity and excellence of the highly ranked department in the face of the enormous setback. As of January 2023, the university leadership has still not drafted a response or a plan for sustaining the HAS department. Meanwhile, other University units, including the College of Agriculture and Life Sciences, have supported HAS in managing departmental operations such as securing temporary building accommodations.

2. Healthcare for Tom Meixner's Family.

On December 5, 2022, the Faculty Senate passed a resolution calling on President Robbins, in cooperation with the UA Foundation, Arizona Board of Regents, and the Arizona Legislature, to find a way to allocate:

sufficient funds to pay for the Meixner family's (Mrs. Meixner and her eligible dependent children) COBRA (or viable alternative) and retirement health care benefits until Mrs. Meixner becomes eligible for Medicare benefits and additionally for the premiums for necessary supplemental coverage to Medicare for Mrs. Meixner thereafter.

A review of the communications with the family members reveals the gaps in the University's approach, via institutional policy, to adequately support employees and their surviving family members when the employee has been killed in the course of discharging their job-related duties.

Also on December 5, 2022, President Robbins and his staff met with HAS victims who had the opportunity to make statements about their experiences and express concern directly to University leadership. Following this meeting, members of the President's office and HR contacted members of the HAS community to discuss providing additional support, including financial compensation and access to Workers' Compensation information. As of January 2023, several victims have received some form of financial assistance. However, to date, Professor Meixner's family has not been provided any financial accommodation to meet healthcare costs until Medicare coverage¹⁰ is availed.

On December 28, 2022, the American Geophysical Union (AGU)¹¹ wrote a letter to President Robbins and Provost Folks imploring more university action:

Here we are appealing for you, as the administrators of the global flagship university in hydrology, to take the steps needed to address this workplace violence... That said, we are sorry to report that at this stage we have not seen the level of response by the U of A that is merited, and we hereby beseech you to take the actions that are demanded by conscience and employer responsibility.

AGU then called on the senior leaders to take the following steps:

We emphatically request that the university administration seize this opportunity to develop thoughtful responses to ensure physical and emotional safety of remaining community members as well as Tom's family and the local community.

To be concrete in at least one matter, it is widely known that Dr. Meixner could not obtain life insurance due to his history with cancer. We need the university to step up and care for the family at a minimum by way of providing continued health insurance and extending college tuition arrangements you offer active faculty.

¹⁰ The President shared the Meixner family's GoFundMe campaign page, which is managed by the family.

¹¹ The American Geophysical Union is a scholarly association that supports scientific discovery in Earth and space sciences. Many HAS scholars are AGU members.

Additionally, steps have not been taken to reinstate Tom Meixner's email account, as repeatedly requested by Chair of the Faculty Leila Hudson, on behalf of the family. To the family's best knowledge, Professor Meixner's email account was terminated days following the murder, which is consistent with University protocol on "Employees Separating from the University." The procedure to "lose access to Outlook email/Office 365 immediately upon separation of last day of employment" callously neglects employee deaths. Knowing it is possible to transition emails to CatMail (Gmail), the Committee calls for increased transparency and the university to reinstate Professor Meixner's email, as the Meixner family has requested.

The Committee observes that the slow institutional response to victims in this specific instance is emblematic of the unpreparedness to violence risks. This is also leading to the lack of trust in the leadership. As the HAS student victim shared with the committee her disappointment in the lack of university response for the past three months:

I am convinced the university will do nothing for me or the victims. The university will slide my report under the rug. They don't want to pay for my mental health costs even though they should. None of this is my fault. I was advocating and citing tooth and nail. I tried so many options, but nothing ever happened. The university is just trying to claim I said nothing all this time.

The student reports continuing to experience extreme distress and psychological trauma, while the extra healthcare funds that were discussed with the President and his staff, remain unfulfilled as this report goes to press.

In summation, the University's response to Professor Meixner's murder lacked: (1) the transparency necessary to instill campus community trust in institutional leadership and relevant units, such as OGC, while avoiding actual or perceived conflicts of interest, (2) thoughtful consideration for units such as CAPS who were held responsible for providing services to the Campus Community without the necessary support to do so effectively, (3) compassion for the surviving victims and Professor Meixner's family, who have been denied adequate healthcare coverage and email access. From the Committee's standpoint, University Leadership should ensure it is better informed of campus realities before releasing information publicly to the campus community.

V. SYSTEMIC RISK OVERSIGHT FAILURE

Failure to Install Risk Management System

Violence risks, including gun violence and non-physical violence including harassment, are well-recognized growing problems in the United States. These incidents can be mitigated but not eliminated. To make informed decisions about the implementation and funding of mitigation measures, institutions must be reasonably informed about the present risks. UArizona leadership failed to install a risk management system necessary for informed decision-making concerning violence risks. The absence of such a system leaves institutional leaders and decision-makers uninformed and ill-prepared to methodically address violence risks. This is the essence of institutional conscious disregard for violence risks.

The Committee pressed DOS, OGC, OIE, TAMT, and UAPD members on whether the University has any university-level system to monitor and evaluate violence risks. Their answers were unequivocal: the university does not have any such system. They also recognized that such a risk management system is needed. In contrast, the University has a “Department of Risk Management Services” that coordinates *“university’s risk management effort through programs in occupational and campus safety, environmental compliance, and institutional insurance coverage.”* This department specializes in Fire Safety, Building Safety, Fleet/Automobile Safety, Environmental Safety, and General Campus Safety (any potential hazards on campus) programs, staffed with approximately 20 employees. When asked about violence risks, an officer from the unit responded that any such risks would be referred to UAPD or TAMT.

The core feature of effective risk management systems is a designed infrastructure of bidirectional communication channels and reporting protocols, which, among other things, ensure access of all relevant stakeholders to those communication channels. The University of Arizona’s internal communication channels are ineffective. They were not designed to collect and communicate information about violence risks, and were not designed to maintain accessibility of stakeholders.

The Committee identifies the lack of a central risk management system for violence risks as a glaring institutional failure whose consequences are both highly anticipated and catastrophic.

The events leading to the murder of Professor Meixner illustrate the problem. DOS, OGC, OIE, TAMT, and UAPD knew that certain HAS members suffered from continuous harassment, experienced mental and emotional distress, and feared that Dervish would express violence and cause bodily harm. Nonetheless, they focused on whether available evidence could establish law and policy violations, and failed to systematically address ongoing harassment and known violence risks. While waiting for the university to take measurable action, HAS members described ways they took matters into their own hands in managing personal safety; examples, such as purchasing a bullet-proof vest, relocating offices, temporarily changing residences, installing home security systems, possessing non-lethal weapons while on campus and keeping a loaded gun while at home, demonstrate the state of immense fear and a lack of University responsiveness.

The Committee was unable to learn whether, before the murder, the University leadership knew about the harassment and fears within the HAS department. The Committee pressed DOS, OGC, OIE, and UAPD employees on whether they have any duty or responsibility to report to the University leadership information related to violence risks. They struggled to answer the question and some stated that they do not have any such duty. For example, OGC attorneys recognized that there may be circumstances in which such responsibilities exist, but the University does not have effective information and reporting channels needed to (1) monitor and address violence risks, and (2) inform the University’s leadership about the scope and nature of violence risks. Without timely and sufficient information about violence risks, the University leadership cannot effectively make informed decisions about how to respond to protect the campus community.

Excessive Bureaucratization

In the absence of a central risk management system, the University’s handling of compliance and enforcement is decentralized and fragmented. Community members who have safety concerns, including

individuals who cope with harassment and violence risks, must navigate through an intricate maze of formal policies and websites to learn which offices may be able to address their concerns. DOS, OGC, OIE, and UAPD are burdened by the need to redirect individuals to other offices and manage frustrations caused by the tricky maze of rules. Administrators in academic units face similar challenges. To the extent that such individuals identify the relevant offices, they must then learn which policies they should follow to receive assistance. The burden of negotiating the reporting system can especially undermine the willingness to support fellow UA persons (see Case #2 and #3). This is particularly cumbersome for victims, when the receiving units express that they are unable or unwilling to help.

To this end, several University units, such as DOS, OGC, OIE, and UAPD, are responsible for interpreting and enforcing legal and administrative standards related to violence risks. However, no specific office has the formal responsibility to address harassment and known violence risks. DOS, OGC, OIE, and UAPD employees operate under the premise that their responsibilities are limited to compliance and enforcement. As a result, individuals who feel harassed or threatened not only have the burden to navigate this complicated system, but they bear the burden to provide evidence that establishes the legal or administrative violation. When an administrative determination concludes that the provided evidence is insufficient to establish a violation, the University is absolved from its responsibility to address the actual experiences, concerns, and fears of Community members that fall outside this narrowly defined scope.

For example, the OIE Director told the Committee that OIE's responsibilities are limited to investigations of alleged violations of certain anti-discrimination statutes and stated clearly that OIE's responsibilities do not include the protection of "safety" and "equity." In meetings with the Committee, DOS and UAPD members stated unequivocally that their responsibilities are limited to enforcement of laws and policies. In other cases, there is a lack of safety response. In meetings with the Committee, OGC attorneys stated that they only provide legal advice and do not make decisions and insisted that decisions about information sharing are made by administrators. At the same time, OGC attorneys argued that they had no duty to inform the University leadership about violence risks they discovered while advising faculty and staff how to manage violence risks.

Our inquiry indicates that what OGC depicts as legal advice is perceived by academic administrators as binding instructions. For example, emails from OGC attorneys to academic administrators include customary notices that they constitute confidential attorney-client privileged communication. These notices alone make academic administrators believe that they are not allowed to discuss the content of the communication with members of their units. Further, as reported by several academic administrators, OGC attorneys instructed them not to discuss information concerning violence risks. This pattern is an anticipated consequence of the failure to design effective bidirectional communication channels and a failure to develop effective reporting protocols for violence risks.

The events leading to Professor Meixner's murder illuminate these bureaucratic hindrances. Dervish was an aggrieved expelled student who repeatedly harassed certain HAS members and continued to pose a threat after his expulsion. DOS, OGC, and UAPD responses focused on the question of whether there was sufficient evidence to substantiate violations of legal standards and policies, and ignored ongoing harassment and violence risks.

To be clear, allegations and concerns must be treated with caution to avoid false-positive errors (actions against individuals who are not a threat) and excessively harsh reactions (See Case #4). However, the lack of risk management and excessive bureaucratization result in a conscious institutional disregard for violence risks, not caution.

The Threat Assessment Management Team

TAMT comes closest to being a central risk coordination unit. TAMT is a semi-formal, inter-office unit, comprised of DOS, OGC, UAPD, and other University unit members¹², which was created after the deadly mass shooting at the College of Nursing in 2002. It espouses to centralize in some fashion the oversight of violence risks through coordination and collaboration among multiple units. However, TAMT is unfunded and relatively unknown amongst University Community members. As reported by TAMT, the University leadership communicates with the offices represented in TAMT but not with TAMT itself. This lack of communication is consistent with the lack of funding.

As noted, in January 2022, TAMT assessed whether Dervish posed an immediate threat. TAMT concluded that Dervish did not pose a threat but that the situation would continue to be monitored while the Dean of Students office worked towards a resolution. The Committee observes that the determination about the “immediate threat” ignored or heavily discounted the knowledge of continuous harassment.

In an email dated January 18, 2023, President Robbins wrote to the University Community that:

security expert Steve Patterson has been working with our Threat Assessment Management Team (TAMT), composed of multidisciplinary experts from across the University, to evaluate and advise on responses to threatening or potentially violent situations. He also has been assessing and making recommendations related to campus building security, safety training, emergency plans, and other safety issues.

The Committee emphasizes that the described improvements in safety measures and response practices do not satisfy the need for a systematic monitoring and assessment of specific violence risks. Under current plans, the focus on general violence prevention assumes violence is random and unanticipated, which overlooks the countless warnings and reports of harassment leading to Professor Meixner’s murder. The formation and existence of TAMT demonstrates a broad recognition among University officials that a central risk management system for violence risks is needed. However, TAMT is insufficient given its representation comprises several units that have failed to maintain trust in the organization and to acknowledge safety beyond their bureaucratic processes, leaving victims unsupported.

VI. CONCLUSION

Violence and hate incidents have been on the rise in the United States in recent years. Institutions are expected to address and mitigate violence risks. Our evaluation of the events leading to Professor Meixner’s murder and other reported incidents identifies four systemic failures: (1) a chronic trust problem, (2) the

¹² As of January 2023, the Committee observed that a new TAMT website was created “to determine if an individual poses or could potentially pose a threat of violence to others” and has added more unit members.

lack of a comprehensive risk management system that effectively addresses violence risks, (3) excessive bureaucratization of services related to violence and violence risks, and (4) insufficient units to address safety concerns. The auxiliary safety organization (TAMT) is not equipped to address the full scope of campus security needs and should only be leveraged supplementarily. These failures, in lockstep with an institutionalized conscious disregard for known violence risks, has and will continue to have devastating consequences for the safety and security of the UArizona campus community.

(1) Chronic Trust Problem. The University of Arizona suffers from a known trust problem whose causes are diverse. The lack of risk management system, a conscious disregard for violence risks, and the excessive bureaucratization did not establish the trust problem; they have contributed to the problem. In the opposite direction, the trust problem has compromised the University's ability to address violence and violence risks.

The trust problem has many broad implications that are unrelated to violence and violence risks. Numerous community members and victims who have interacted with DOS, OIE, and UAPD shared that they will no longer seek support from these units in the future. Members from the Black and LGBTQ+ community further commented that they feel safer at home than on campus, as they do not feel protected and, as some Disability community members substantiated, feel unfairly treated by UAPD. The APIDA community questioned whether they would be believed and taken seriously by units when safety issues arise. All groups stated concerns that a more securitized campus will result in discriminatory profiling, putting marginalized groups further at risk. All community groups, especially among University staff and non-tenured faculty, also expressed at least some concerns about retaliation for openly criticizing these units. The trust problem, therefore, is not only an issue of physical safety, but also an issue of university engagement, affecting one's ability to fully perform as employees and students.

(2) Failure to Install Risk Management System for Violence Risks. The University does not have a central system to detect, monitor, and address violence risks. Instead, responsibilities related to violence risks are allocated to multiple offices.

From November 2021 to the murder in October 2022, DOS, OGC, OIE and UAPD (and by extension, TAMT) knew that certain HAS members were harassed and had meaningful concerns regarding violence risks. DOS and OGC members who met with the committee could not answer questions about whether they have any duties to act on information about violence risks except to refer them to the UAPD. UAPD members who met the committee stated that their duties are limited to law enforcement and do not include any duty to inform any party about violence risks. This pattern of conscious disregard for known violence risks is the outcome of a failure to develop and implement a cohesive institutional approach to violence risks. The University does not have any office tasked with the responsibilities to detect, monitor, and address violence risks. As a result, DOS, OGC, OIE, and UAPD employees do not have a clearly identified point of contact to report known violence risks. This informational breakdown amounts to a conscious disregard for known violence risks.

(3) Excessive Bureaucratization and Barriers to Access to Services. The lack of a central risk management system and the fragmentation of responsibilities related to violence risks resulted in institutional focus on legal risks and the neglect of violence risks. Additionally, the fragmentation of responsibilities and bureaucratic approach to violence risks have erected barriers to access to safety

services. Individuals coping with violence and violence risks must navigate through an intricate maze of websites, policies, and procedures to find whether there is any office that might be able to assist them. The barriers to access to services disproportionately affect certain groups, including members of the Disability and APIDA communities.

(4) Insufficient Units to Address Safety Concerns. TAMT cannot replace the implementation of a comprehensive risk management system. However, the University has tasked this unit with such responsibilities that expand well beyond the scope of what the unit can manage. Furthermore, TAMT lacks both the funding and organizational authority to effectively address safety. This is particularly damaging because, although it is relatively unknown, it has been assigned authority for obligations it cannot fully fulfill.

In conclusion, systemic risk oversight failures cultivate a culture of fear rooted in the belief that violence will inevitably and unavoidably occur on campus and calls to change this culture may result in negative consequences for individuals who speak out. This standard is unacceptable. In the context of the murder of Professor Meixner, the harassment of HAS members, and other reported cases, the University failed to address continuous harassment and known violence risks, arguably because the harassment and risks were outside the scope of the formal responsibilities of DOS, OGC, OIE, and UAPD. University inactions and leadership responses since the murder have further eroded trust, including trust to report safety concerns and to mitigate anticipated violence.

The Committee recommends that the University take swift action to install a proactive and effective risk management system for violence risks. As expressed by community members, increased screening and surveillance are not sufficient answers to feeling safe on campus, especially given that marginalized community members are disproportionately profiled and policed amidst securitization. Thus, we strongly advise against such securitization and encourage greater responsiveness to students and employees' safety concerns, needs, and wellbeing. Recommendations and considerations toward achieving this aim will be further discussed in the finalized report.